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## INVESTIGATIVE NARRATIVE

On October 18, 2005, Chief Ronnie M. Williams requested that the Internal Criminal Investigations Bureau (ICIB) investigate allegations that while off-duty Deputy Jason Desjardins brandished a firearm at a taxi cab driver (Complainant [redacted]) and later that day, while on-duty, threatened the same taxi cab driver.

Sergeant Marcus Hershey conducted the criminal investigation (Exhibit "A"). On June 5, 2006, Deputy District Attorney Christina V. Buckley of the Justice System Integrity Division of the Los Angeles County District Attorney's Office declined to file charges against Deputy Desjardins, citing insufficient evidence for the following charges:

- 417.3 P.C. Every person who, except in self-defense, in the presence of any other person who is an occupant of a motor vehicle proceeding on a public street or highway, draws or exhibits any firearm, whether loaded or unloaded, in a threatening manner against another person in such a way as to cause a reasonable person apprehension or fear of bodily harm is guilty of a felony

- 136.1(A)(1) P.C. Knowingly and maliciously prevents or dissuades any witness or victim from attending or giving testimony at any trial, proceeding, or inquiry authorized by law.

Based on this information Chief Williams requested that the Internal Affairs Bureau (IAB) conduct an administrative investigation regarding the aforementioned allegations.

## INTERVIEWS:

### MR. [redacted]

On October 14, 2005, Complainant [redacted] filed a complaint with the Los Angeles County Sheriff's Department, West Hollywood Station, regarding an incident which occurred on September 24, 2005. Lieutenant Donnie Mauldin, Emp. [redacted] the West Hollywood Station Detective Bureau Commander interviewed Mr. [redacted]. The interview was digitally recorded.

> **IAB Note:** Lieutenant Mauldin also wrote an incident report, URN #105-07276-0999-444 (Exhibit "B").

[redacted] a taxi cab driver contracted by "City Cab" alleged that on September 24, 2005, at approximately 2:00 p.m., he nearly collided with a silver Corvette. [redacted] told Lieutenant Mauldin that the incident with the Corvette occurred as he was driving eastbound on Sunset Boulevard in the City of Beverly Hills. While waiting at a red light, [redacted] noticed in his driver's side rearview mirror that a motorcycle was approaching between the cars.

He moved over to his right to allow more passing room for the motorcycle. This maneuver nearly resulted in a collision with a silver Corvette whose driver unbeknownst to [redacted], was attempting to pass [redacted] alongside the right-hand curb just as the light turned green.

The driver of the Corvette subsequently pointed a silver 9 millimeter handgun at him. [redacted] was not able to see the driver's face, but he did notice that the Corvette was a newer model and had a rear paper plate which read "Cormier Chevrolet."

> **IAB Note:** [redacted] stated that based on his military service he recognized the weapon as a 9mm handgun.

[redacted] told investigators that shortly after the incident he saw a deputy sheriff conducting a traffic stop of a black Mercedes near the intersection of Sunset Boulevard and Holloway Drive. The deputy had on green pants and a green polo shirt with the word "Sheriff" on the back. After the driver of the black Mercedes was allowed to leave with a warning, [redacted] told the deputy what had just occurred. The deputy, who was in a black and white patrol car, may have asked [redacted] for his name, before driving away in response to an apparent emergency.

> **IAB Note:** The clothing described by [redacted] is worn by deputies assigned to specialized teams. Sergeant Hershey attempted to identify the deputy by checking West Hollywood's Sheriff's Station time records. During the relevant time period, there were no deputies on duty who would have been dressed as [redacted] described. Nor was there any record of a traffic stop matching the one described by [redacted]

Later that evening at approximately 6:50 p.m. [redacted] who was still driving the taxi cab, was pulled over by Deputy Desjardins in a dark area in the Hollywood Hills. Desjardins was driving a black and white patrol unit and was in full uniform. According to [redacted], Desjardins asked him whether he had reported an incident involving a silver Corvette. [redacted] confirmed that he had. Desjardins identified himself as the driver of the Corvette and then accused [redacted] of having tried to run him off the road earlier that afternoon. He told [redacted] that he should have shot him for what he did. Desjardins asked for [redacted] driver's license and wrote something in his notebook. He threatened to report [redacted] to the "INS" and to "fuck [him] over" every time he saw him. Desjardins did not issue a citation and after approximately five minutes [redacted] was allowed to leave. [redacted] told Lt. Mauldin that he was frightened during the encounter and notified the cab company's dispatch operator of what had just occurred. He added that he believed Desjardins may have been following him or looking for him before the stop.

According to [redacted], after each of his encounters with Deputy Desjardins, he was frightened and immediately notified someone. However, Sergeant Hershey was unable to corroborate [redacted] claim that shortly after the brandishing incident he reported the matter to an unidentified deputy sheriff. Sergeant Hershey was also unable to corroborate [redacted] claim that he notified a cab company dispatcher that he had been threatened by a deputy sheriff.

San Gabriel Transit Dispatcher [redacted] indicated to Sergeant Hershey that there were no telephone records or log entries which corroborated [redacted] claim. Additionally, there were no dispatchers who recalled having a conversation with [redacted] wherein he reported that he had been threatened by a deputy sheriff.

> **IAB Note:** [redacted] did not know the name of the dispatcher and was only able to tell Sergeant Hershey that it was a male.

San Gabriel Transit installed a telephone call recording system after this incident.

Sergeant Hershey was able to confirm that Desjardins owned a silver Corvette with paper plates which read "Cormier Chevrolet" as well as a stainless 9 mm handgun. Additionally, a review of Desjardins' unit history (Exhibit "F") revealed that on September 24, 2005 at 6:35 p.m., he ran [redacted] license plate number.

> **IAB Note:** The traffic stop was not documented in Desjardins' Deputy Daily worksheet (Exhibit "E").

On December 9, 2005, a search was conducted of Desjardins' locker, personal vehicle, and notebook. In his notebook, under the date of "09/24/05," [redacted] birth date, name, and address were written (Exhibit "C").

> **IAB Note:** The notebook was placed into evidence by Sergeant Hershey.

For further details regarding Mr. [redacted] interview, refer to the verbatim transcription.

## DEPUTY JASON DESJARDINS

Desjardins stated on September 24, 2005, he was assigned to West Hollywood Sheriff's Station on the P.M. shift, [redacted] While en route to the station, sometime around 1545 hrs., at a speed of 10-15 mph, eastbound in the 9000 block of Sunset Blvd., Desjardins stated he nearly collided with a taxi cab. Desjardins stated a taxi cab "[came] just out of nowhere" entered his lane forcing him to swerve into the curb. Desjardins made a sketch of the scene, refer to Exhibit "G."

The vehicle Desjardins was driving, a 2004, Chevy Corvette, sustained very minor damage to the front wheel rim. Desjardins stated he was able to repair the damage himself.

Desjardins described the taxi as being black and yellow, "I believe it was like a City Cab maybe." The driver of the taxi cab didn't stop after the incident. Desjardins stated that as the taxi passed him he looked through the back passenger side window, he didn't get a very good look at the driver. Desjardins was shown a CDL photograph of [redacted] (Exhibit "D"). Desjardins stated, "I don't have any independent recollection of his face, I don't know."

Desjardins did not report or discuss the incident with anybody at West Hollywood Station.

Desjardins stated that he owns a stainless steel Beretta 9mm pistol. On September 24, 2005, he was unsure which weapon he had in his vehicle, the blue steel department issued Beretta 9mm or his personnel stainless steel 9mm Beretta. He stated more that likely he had the department issued Beretta with him while en route to the station. Desjardins stated that he normally transports the weapon in the Corvette's trunk. He stated that his Corvette doesn't have anywhere in the driver's compartment where he could store the Beretta.

Desjardins stated that he did not point a weapon at [redacted] after the traffic incident.

After arriving at the station, Desjardins prepared for his shift. He attended briefing, then left the station in a black and white patrol vehicle. While patrolling in the Sunset Plaza area of Sunset Blvd., Desjardins observed a taxi cab pick up a fare. Desjardins noted that the taxi didn't display the required city issued permit to operate in the City of West Hollywood. Desjardins initiated a traffic stop on Sunset Blvd. or just south of Sunset Blvd., in the vicinity of the Sunset Plaza area.

> **IAB Notes:** [redacted] stated that he was stopped in the Hollywood Hills. The Hollywood Hills are north of Sunset Blvd.
>
> Mr. [redacted], an employee with the City of West Hollywood queried a database of taxi cabs that have been issued permits to operate within the city. He stated that CA Lic. #[redacted], the cab driven by [redacted] was not issued a license/permit to operate within the City of West Hollywood.

Prior to stopping the taxi, Desjardins queried the taxi's license on his mobile digital terminal (refer to Exhibits "F" & "H"). Desjardins approached the taxi on the driver's side with his gun drawn, at his side. After reaching the driver Desjardins stated that he re-holstered his weapon.

After making contact with the driver, later identified as [redacted] Desjardins asked for his credentials, i.e., CDL and taxi driver's permit. Desjardins was asked if he asked [redacted] if had reported an incident earlier with a silver Corvette. Desjardins said, "I don't remember." Desjardins was asked if he ever said, "I should've killed you, or I should've shot you for what you did." Desjardins said, "No, absolutely not." Desjardins was asked if he ever said, "You tried to put me into the curb." He replied, "I don't remember." Desjardins was asked if he ever said, "I'm gonna report you to the INS every time I see you, I'm gonna fuck you over." Desjardins replied, "No."

Desjardins was asked if he thought the taxi cab that he was stopping was the same one from earlier that day, he said, "I wasn't sure." After stopping the taxi and approaching the driver, Desjardins said "I thought right away that it could have been the guy."

> **IAB Note:** Desjardins previously stated that he didn't see the taxi driver's face.

Desjardins denied "hunting" for the driver of the taxi when he started his shift. When asked if he was "paying a little more attention to taxi cabs that day" Desjardins said, "Could've."

Desjardins stated that he asked [redacted], "were you involved in an incident where you sideswiped or nearly sideswiped a silver Corvette about an hour and a half ago." Desjardins stated that [redacted] "chuckled" and said, "Well, was that you . . . is that why you pulled me over?" Desjardins stated, "well it could've been, you know."

Desjardins stated that he felt that the situation could "go sideways" so he ended the traffic stop, not citing [redacted] for the traffic violation. Desjardins wrote the time the traffic stop occurred, [redacted] name and his DOB in his field notebook (refer to Exhibit "C"). Desjardins did not record the stop in his Deputy Daily Worksheet (Exhibit "E"). He stated he didn't log the stop because it was busy. He went on to say that he had "no independent recollection" regarding his failure to log the stop. After the traffic stop Desjardins stated that he never related the stop to anybody at West Hollywood Station.

**IAB Note:** Desjardins did not record the names of [redacted] passengers.

February 16, 2007

Deputy Jason Desjardins, #[redacted]

Deputy Desjardins:

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective at the close of business on March 12, 2007.

Combined investigations under File Numbers IAB 2162948,[redacted] conducted by Internal Affairs Bureau and West Hollywood Station, coupled with your own statements, have established the following:

**IAB 2162948**

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior and/or 3-01/050.30, Off-Duty Incidents, on or about September 24, 2005, at approximately 1400 hours, while off duty and after nearly colliding with a taxi cab, you displayed a handgun in a threatening manner toward the taxi cab driver, Mr[redacted]

2. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.15, Conduct Toward Others; and/or 3-01/030.85, Derogatory Language, on or about September 24, 2005, at approximately 1850 hours, while on duty and in uniform, you pulled Mr.[redacted] over while he was still driving his taxi cab, identified yourself as the person with whom the taxi driver had

a near collision earlier that day. Moreover, you threatened Mr. [redacted] by saying, among other things, words to the effect of, you would "fuck him over" every time you saw him, and/or you would contact Federal authorities from the Immigration and Naturalization Service (INS) and have [redacted] deported, and/or that you "should have shot him" when you saw him earlier in the day.

3. That in violation of Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations and Orders and/or 3-01/050.10, Performance to Standards, on or about September 24, 2005, at approximately 1850 hours, after contacting Mr. [redacted] you failed to memorialize that contact in your Deputy Daily Worksheet as required by Field Operations Directive 00-04 (2000).

4. That in violation of Manual of Policy and Procedures Sections 3-01/040.70, False Statements and/or 3-01/040.75, Failure to Make Statements and/or Making False Statements During an Internal Investigation, on or about August 31, 2006, during your Internal Affairs interview, you initially stated that you did not remember making any kind of statement to Mr. [redacted] which indicated you believed Mr. [redacted] could have been driving the taxi cab involved in the near collision which had occurred earlier in the day. Later, during the same interview, you stated that you asked Mr. [redacted] if he had been "involved in an incident where he had sideswiped, or nearly sideswiped," your silver Corvette. During the August 31, 2006 interview, you also stated unequivocally that, after seeing Mr. [redacted] blond hair, you suddenly recognized [redacted] as the driver of the taxi cab which had nearly collided with you earlier in the day. At that point, according to your testimony, you asked Mr. [redacted] if he had been the one involved in an incident with your silver Corvette. This statement was in direct contradiction with your earlier testimony that you did not remember making any such statement during your brief conversation with Mr. [redacted] Additionally, during the August 31, 2006 interview, you stated you did not display your weapon, and that your weapon was in the trunk of your car.

[redacted]

[redacted]

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Ronnie Williams on March 7, 2007, at 1400 hours, in his office, which is located at Sheriff's Headquarters Building, 4700 Ramona Boulevard, Monterey Park, on the 4th Floor. If you are unable to appear at the scheduled time and wish to schedule some other time prior to March 7, 2007, for your oral response, please call Chief Williams' secretary at [redacted] for an appointment.

If you choose to respond in writing, please call Chief Williams' secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief Williams' office by no later than March 7, 2007.

Unless you are currently on some other type of authorized leave, pursuant to Rule 16.01 of the Los Angeles County Civil Service Commission Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you

have to respond to the intended discharge or until the conclusion of your pre-disciplinary hearing. If you are presently on an authorized leave, that leave will continue during the fifteen (15) business days you have to respond to the intended discharge, or until the conclusion of your pre-disciplinary hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at (323) 890-5300, to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Karyn Mannis

Karyn Mannis, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

KM:lh

c: Advocacy Unit
Employee Relations Unit
Chief Ronnie Williams, FORII
Internal Affairs Bureau
Office of Independent Review (OIR)
(File #'s 2162948; [redacted]

| LOS ANGELES COUNTY DISTRICT ATTORNEY<br>**CHARGE EVALUATION WORKSHEET** | _ Further investigation requested.<br>_ Probation Violation in lieu of filed.<br>X Prosecution declined. | DA CASE NO.<br>26498497 | Page 1 of 4<br>Date: June 5, 2006 |
|---|---|---|---|
| | | POLICE CASE NO. (DR OR URN NO.)<br>405-00043-2003-441 | DA OFFICE CODE<br>J.S.I.D. 06-0138R |

# SUSPECT DATA

| NO. | SUSPECT NAME | BKNG NO. | CHARGE | REASON |
|---|---|---|---|---|
| 01 | DESJARDINS, JASON | N.I.C. | PC 417.3 | B - Insufficient evidence |
| | | | PC 136.1(A)(1) | B- Insufficient evidence |

DESCRIPTION

SEE ATTACHED.

| STEVE COOLEY<br>District Attorney | COMPLAINT DEPUTY (PRINT)<br>CHRISTINA V. BUCKLEY/smm | DEPUTY CODE<br>155309 | COMPLAINT DEPUTY (SIGNATURE)<br>C. Buckley | REVIEWING DEPUTY<br>[signature] |
|---|---|---|---|---|

**In submitting this matter for consideration of a complaint, written reports of substantially all available evidence (except as to the oral information, if any, purporting to have been given by me and which is fully and correctly stated above) have been submitted to the above-named Deputy (copies of which are attached hereto) except the following:**

**The disposition of this matter will be final unless the commanding officer requests reconsideration of the case, stating his reasons on the back of this form.**

**MAILED 06/07/06**

OFFICER - SGT. MARCUS HERSHEY
L.A.S.D. I.C.I.B.

Page 5 D

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of allegations that Los Angeles County Sheriff's Deputy Jason Desjardins, #[redacted] brandished a firearm while off-duty in violation of Penal Code Section 417.3, and that he attempted to dissuade a witness in violation of Penal Code Section 136.1(a)(1). For the reasons set forth below, this office declines to initiate criminal proceedings.

FACTUAL ANALYSIS

The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department (LASD), submitted to this office on March 6, 2006, by Sergeant Marcus Hershey, LASD, Internal Criminal Investigations Bureau (ICIB). Deputy Desjardins' compelled statement, if one exists, was not reviewed.

On October 3, 2005, [redacted] filed a complaint with the Los Angeles County Sheriff's Department regarding an incident which occurred on September 24, 2005. [redacted] a taxi cab driver, alleged that on that date at approximately 2:00 p.m., he nearly collided with a silver Corvette. The driver of the Corvette subsequently pointed a silver 9 millimeter handgun at him. [redacted] was not able to see the driver's face, but he did notice that the Corvette was a newer model and had a rear paper plate which read "Cormier Chevrolet." [1]

[redacted] told investigators that shortly after the incident he saw a deputy sheriff conducting a traffic stop of a black Mercedes near the intersection of Sunset Boulevard and Holloway Drive. The deputy had on green pants and a green polo shirt with the word "Sheriff" on the back. After the driver of the black Mercedes was allowed to leave with a warning, [redacted] told the deputy what had just occurred. The deputy, who was in a black and white patrol car, may have asked [redacted] for his name before driving away in response to an apparent emergency.[2]

Later that evening at approximately 6:50 p.m. [redacted] who was still driving the taxi cab, was pulled over by Deputy Desjardins in a dark area in the Hollywood Hills. Desjardins was driving a black and white patrol unit and was in full uniform. According to [redacted] Desjardins asked him whether he had reported an incident involving a silver Corvette. [redacted] confirmed that he had. Desjardins identified himself as the driver of the Corvette and then accused [redacted] of having tried to run him off the

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[1] [redacted] told investigators that the incident with the Corvette occurred as he was driving eastbound on Sunset Boulevard in the City of Beverly Hills. While waiting at a red light, he noticed in his driver's side rearview mirror that a motorcycle was approaching between the cars. He moved over to his right to allow more passing room for the motorcycle. This maneuver nearly resulted in a collision with a silver Corvette whose driver, unbeknownst to [redacted] was attempting to pass [redacted] alongside the right hand curb just as the light turned green.

[2] The clothing described by [redacted] is worn by deputies assigned to specialized teams. Investigators attempted to identify the deputy by checking West Hollywood's Sheriff's Station time records. During the relevant time period, there were no deputies on duty who would have been dressed as [redacted] described. Nor was there any record of a traffic stop matching the one described by [redacted]

road earlier that afternoon. He told [redacted] that he should have shot him for what he did. Desjardins asked for [redacted] driver's license and wrote something in his notebook. He threatened to report Ohanessian to the "INS" and to "fuck [him] over" every time he saw him. Desjardins did not issue a citation and after approximately five minutes [redacted] was allowed to leave. [redacted] told investigators that he was frightened during the encounter and notified the cab company's dispatch operator of what had just occurred. He added that he believed Desjardins may have been following him or looking for him before the stop.

According to [redacted] after each of his harrowing encounters with Deputy Desjardins, he was frightened and immediately notified someone. However, ICIB investigators were unable to corroborate [redacted] claim that shortly after the brandishing incident he reported the matter to an unidentified deputy sheriff. Investigators were also unable to corroborate [redacted] claim that he notified a cab company dispatcher that he had been threatened by a deputy sheriff. San Gabriel Transit Dispatcher [redacted] indicated that there were no telephone records or log entries which corroborated [redacted] claim. Additionally, there were no dispatchers who recalled having a conversation with [redacted] wherein he reported that he had been threatened by a deputy sheriff.[3] San Gabriel Transit installed a telephone call recording system after this incident.

ICIB investigators were able to confirm that Desjardins owned a silver Corvette with paper plates which read "Cormier Chevrolet" as well as a stainless 9 mm handgun.[4] Additionally, a review of Desjardins' unit history revealed that on September 24, 2005 at 6:35 p.m., he ran [redacted] license plate number. On December 9, 2005, a search was conducted of Desjardins' locker, personal vehicle, and notebook. In his notebook, under the date of "09/24/05," [redacted] birth date, name, and address were written.

CONCLUSION

It appears that Deputy Desjardins, while off-duty, was involved in a near-collision with [redacted] However, there is insufficient evidence to prove beyond a reasonable doubt that he brandished a handgun during the incident. Although there is evidence that Desjardins conducted a traffic stop of [redacted] later that evening, there is no evidence supporting [redacted] suspicion that Desjardins deliberately sought him out. While it is possible, even likely, that Desjardins recognized [redacted] vehicle from the earlier encounter, one can only speculate as to whether there was some other reason for the stop.

The sole witness in this case is the victim, [redacted] Regrettably, ICIB investigators were unable to identify either of the witnesses [redacted] said he spoke to immediately after each of his encounters with Desjardins. The inability to corroborate a

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[3] [redacted] did not know the name of the dispatcher and was only able to tell investigators that it was a male.

[4] While [redacted] did not indicate that he saw the handgun during the traffic stop, Sergeant Hershey stated that it would have been visible while in Desjardins' holster.

crucial portion of [redacted] claim makes it highly unlikely that a criminal prosecution of Deputy Desjardins would be successful.

We therefore decline to initiate criminal proceedings against Deputy Desjardins. We are closing our file and will take no further action in this matter.



# County of Los Angeles

Sheriff's Department Headquarters

4700 Ramona Boulevard

Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

March 12, 2007

Deputy Jason Desjardins, [redacted]

[redacted]

Deputy Desjardins:

On February 16, 2007, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under combined File Numbers IAB 2162948, [redacted]. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, your Division Chief determined that the recommended discipline is appropriate.

You are hereby notified that you are discharged from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective as of the close of business on March 12, 2007.

Combined investigations under File Numbers IAB 2162948, [redacted], conducted by Internal Affairs Bureau and West Hollywood Station, coupled with your own statements, have established the following:

**IAB 2162948**

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior and/or 3-01/050.30, Off-Duty Incidents, on or about September 24, 2005, at approximately 1400 hours, while off duty and after nearly colliding with a taxi cab, you displayed a handgun in a threatening manner toward the taxi cab driver, Mr. [redacted].

2. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.15, Conduct Toward Others; and/or 3-01/030.85, Derogatory Language, on or about September 24, 2005, at approximately 1850 hours, while on duty and in uniform, you pulled Mr. [redacted] over while he was still driving his taxi cab, identified yourself as the person with whom the taxi driver had a near collision earlier that day. Moreover, you threatened Mr. [redacted] by saying, among other things, words to the effect of, you would "fuck him over" every time you saw him, and/or you would contact Federal authorities from the Immigration and Naturalization Service (INS) and have [redacted] deported, and/or that you "should have shot him" when you saw him earlier in the day.

3. That in violation of Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations and Orders and/or 3-01/050.10, Performance to Standards, on or about September 24, 2005, at approximately 1850 hours, after contacting Mr. [redacted], you failed to memorialize that contact in your Deputy Daily Worksheet as required by Field Operations Directive 00-04 (2000).

4. That in violation of Manual of Policy and Procedures Sections 3-01/040.70, False Statements and/or 3-01/040.75, Failure to Make Statements and/or Making False Statements During an Internal Investigation, on or about August 31, 2006, during your Internal Affairs interview, you initially stated that you did not remember making any kind of statement to Mr. [redacted] which indicated you believed Mr. [redacted] could have been driving the taxi cab involved in the near collision which had occurred earlier in the day. Later, during the same interview, you stated that you asked Mr. [redacted] if he had been "involved in an incident where he had sideswiped, or nearly sideswiped," your silver Corvette. During the August 31, 2006 interview, you also stated unequivocally that, after seeing Mr. [redacted] blond hair, you suddenly recognized [redacted] as the driver of the taxi cab which had nearly collided with you earlier in the day. At that point, according to your testimony, you asked Mr. [redacted] if he had been the one involved in an incident with your silver Corvette. This statement was in direct

contradiction with your earlier testimony that you did not remember making any such statement during your brief conversation with Mr. [redacted] Additionally, during the August 31, 2006 interview, you stated you did not display your weapon, and that your weapon was in the trunk of your car.

[redacted]

[redacted]

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You may appeal the Department's action in this matter pursuant to Rules 4.02, 4.05 and 18.02 of the Civil Service Rules.

You may, if you so desire, within fifteen (15) business days from the date of service of this notice of discharge, request a hearing on these charges before the Los Angeles County Civil Service Commission, 222 North Grand Avenue, Los Angeles, California 90012.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Larry L. Waldie

LARRY L. WALDIE
UNDERSHERIFF

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

LLW:WJM:KM:rb

c: Advocacy Unit
Ronnie Williams, Chief, FORII
Buddy Goldman, Captain, West Hollywood Station
Internal Affairs Bureau
Office of Independent Review (OIR)
Bruce Pollack, Captain, Personnel Administration
IAB File Numbers: 2162948; [redacted]